

### Remarks

Favorable consideration of all claims presented in the instant application are respectfully requested in view of the foregoing amendments and the following remarks:

#### *Claim Amendments*

Claims 1 and 20 have been amended to cancel the text objected to by the Examiner, substituting therefor the phrase “and being offset relative to the location of the symbol to be selected.” The substituted text is taken from page 3, lines 2-3, of the International application, as published.

In accordance with the present invention, a symbol is selected when the pointing device does not pass through the symbol, but instead when the pointing device passes along a line having a predetermined bearing and being offset relative to the symbol.

Claims 3-8 and 22-27 have been amended so as to be clearly consistent with Claims 1 and 20. It is noted that Claims 4, 5, 23 and 24 are currently withdrawn from consideration, but have been amended nevertheless on the conviction that an allowable generic or linking claim is presented herein.

With regard to the rejection of Claims 13 and 14 under 35 U.S.C. 112, it is noted the phrase “or the like” is objected to only in respect of those claims, whereas

the same phrase is also present in other claims, such as 1, 2, 4-8, 10-12, 20, 21, 23-27 and 29-33. For consistency, and to forestall rejection on the same basis, the phrase has been removed from all claims of the application.

### *Drawings*

With regard to the alleged lack of a pointing device in the drawings, it is noted that Figure 1 shows a pointing device in the form of a cursor 3. The Examiner's attention is invited to the disclosure at page 11, lines 33-34 of the International application, as published, which refers to "... a pointing device in the form of a movable cursor 3." The objection to the drawings is unfounded, and no change in the description or claims is therefore in order in respect thereof.

### *Obviousness Rejections*

Turning now to the substantive rejections, Claims 1, 3, 6-9, 11-14, 16-20, 22, 25-33 and 35-38 stand rejected as being unpatentable, for obviousness, over the single reference to Hanson et al. (U.S. Patent No. 5,483,235).

Hanson et al. discloses an information input device which has a plurality of discrete areas adapted to be activated by operatively connecting a stylus thereto (see column 2, lines 18-24). According to column 3, lines 38-40 of the patent, the keyboard is operated by touching the tip of the stylus to a sequence of keys. That is, a given key is

typed by touching the stylus tip to it. Thus, according to Hanson et al., a symbol can only be selected by movement directly to, and operatively connecting with, that particular symbol.

Contrary to the disclosure and teaching of Hanson et al., amended Claims 1 and 20 of the present application require movement to be parallel to, but offset from, the symbol to be selected.

Consequently, an action in accordance with Hanson et al. that would select a particular symbol would not, when used in accordance with the system and method of amended Claims 1 and 20 of the instant application, select that particular symbol.

On the other hand, an action that would select a particular symbol in accordance with amended Claims 1 and 20 would not, when used in accordance with Hanson et al., select that particular symbol.

Thus, the two symbol-selection procedures are mutually distinct. Neither will work with the other. It follows unequivocally that the teaching of Hanson et al. cannot result in the present invention, as defined in amended Claims 1 and 20, and it could not have rendered the claimed subject matter obvious to one of ordinary skill in the art.

Furthermore, there is no disclosure or suggestion in Hanson et al. for movement of a pointing device along a predetermined bearing, as required in Claims 1 and 20.

Indeed, as explained above, the teaching of Hanson et al. is contrary to the definition of the predetermined bearing. These facts emphasize the patentability of Claims 3, 6-8, 22 and 25-27 as well.

With particular regard to Claims 13 and 32, the teaching of Hanson et al., at column 2, lines 31-40, is that the arrangement of symbols facilitates the ease, speed and accuracy of use of stylus-based input devices. There is no disclosure and no suggestion in Hanson et al. that a symbol can be selected *on the basis of the speed of movement of the pointing device*.

With particular regard to Claims 16-18 and 35-37, the fair teaching of Hanson et al. is that the bearing along which the stylus approaches the symbol of the like to be selected is of no consequence. On the contrary, it is only the "operative coupling" (contact) between the stylus and the symbol that results in selection of the symbol.

In accordance with the present invention, on the other hand, it is the bearing along which the pointing device travels that determines which symbol is selected. Again, there is no contact between the symbol and the pointing device because they are, by definition, offset from one another.

In view of the foregoing, it is respectfully submitted that the present invention clearly describes and defines an invention that is novel and patentable over the prior art. Withdrawal of the objections and rejections, and passage of the application to al-

lowance of all presented claims, are believed to be clearly in order; such actions are earnestly solicited.


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CERTIFICATE OF MAILING

I, IRA S. DORMAN, hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed as set forth on the first page hereof, on October 7, 2004.

  
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